From:

Murphy, Lauren

Sent:

Thursday, September 15, 2011 4:14 PM

To: Subject: 'Susan Wallace' RE: trillium

Attachments:

CAO memo 8.25.11.pdf

Categories:

HDRC or Preservation

Hi Susan – attached is the memorandum to the Matthews from our County Attorney's office. This opinion is for the kitchenette/bathroom building, gazebo, and bridge. Please note that the Matthews' did not submit zoning permits for two pavilions (shown on their Certificate of Appropriateness application to the HDRC). They would need to submit zoning permits for those structures before the County Attorney's office opines on them. I have not heard from the Matthews' as to how/if they want to proceed with the HDRC review of the gazebo or bridge, given the determination that the kitchenette building is not permissible under the terms of the easement (see memo). Until we hear from the Matthews', this item has not been rescheduled for further review by the HDRC.

Let me know if you have questions.

Thanks, Lauren

PS – saw your subsequent email – no worries on the spelling – I do that all the time ©

From: Susan Wallace [mailto:susan@hedgewoodfarm.com]

Sent: Thursday, September 15, 2011 4:03 PM

To: Murphy, Lauren **Subject:** trillium

Hi Lauren,

I understand the Cty. Atourney has issued an opinion regarding the easement, etc. at Trillium. Would you be kind enough to send me the information?

Many thanks,

Susan

__

Susan Wallace Hedgewood Farm

From: Sent: To: Cc: Subject:	Murphy, Lauren Thursday, September 15, 2011 2:28 PM 'OaklandBB@aol.com' Siebentritt, Heidi RE: October HDRC Meeting	
Categories:	HDRC or Preservation	
	ng concerned neighbors contact me, just because the CAPP is still active. The memo is available vide to anyone interested $^{\odot}$	
The meeting is scheduled	I for the third Monday – October 17 th which is reflected on the 2011 meeting schedule also ⁽³⁾	
Let me know if you have	any other questions!	
LM		
From: OaklandBB@aol.com [mailto:OaklandBB@aol.com] Sent: Thursday, September 15, 2011 2:25 PM To: Murphy, Lauren Cc: Siebentritt, Heidi Subject: Re: October HDRC Meeting		
"update" you will be givin	is an opinion I can share with concerned neighbors? Perhaps I should just alert them to the g at the October meeting? I've just looked at my calendar and see that the second October y which is usually a holiday. Will the HDRC re-schedule?	
jean brown		
In a message dated 9/15	/2011 2:15:30 P.M. Eastern Daylight Time, <u>Lauren.Murphy@loudoun.gov</u> writes:	
	ing the staff report so you'll get a new one of those. Mr. Murley has indicated that he ipe chimney so I'll need to reflect that change in my report. As long as you have the produce those for you.	
easement on the proper permits for the other two two "pavilions" – I've no HDRC with an update in	d issue an opinion that the Kitchenette/Bathroom building is <u>not</u> consistent with the rty but the small fishing gazebo and bridge would be. The Matthews' did not submit to pavilions which they will need to do in order for the CA to issue an opinion on the ot heard from the Matthews' yet on how/if they want to proceed but will provide the October. At this point, they would basically be allowed to seek HDRC review/decision azebo only. The CAO memo is attached.	
Thanks,		
Lauren		

Sent: Thursday, September 15, 2011 2:03 PM To: Murphy, Lauren; janecovington@cstone.net ; jagerow@rstarmail.com ; kriedelarchitect@aol.com ; jagerow@rstarmail.com ; kriedelarchitect@aol.com ; jagerow@rstarmail.com ; haleslea@gmail.com Subject: Re: October HDRC Meeting
Thanks, Lauren. I thought I had saved all the papers, but find I am missing a few. I do have the architectural drawings and the statement of justification. What I seem to be missing is the staff report. I don't need all the photos. Could you send me that staff report?
Is there any word from the county attorney's office on the Trillium Farm?
jean brown
In a message dated 9/15/2011 10:27:27 A.M. Eastern Daylight Time, Lauren.Murphy@loudoun.gov writes:
HDRC members – we have one application on the schedule for the October meeting – Ryan Murley (who was originally scheduled for August but was deferred when he did not attend the August meeting).
Please let me know if you need another copy of the elevations for the Murley garage or if you held onto your copy from the August meeting. We will reproduce the application and photos for your packets but will only copy the elevations in-house for those who can't locate their August set.
Let me know ©
Thanks,
Lauren
Lauren E. Murphy
Planner – Community Information & Outreach

From: OaklandBB@aol.com [mailto:OaklandBB@aol.com]

Loudoun County Department of Planning

1 Harrison Street, S.E.

Leesburg, Virginia 20177

Office - (703)777-0246

Fax - (703)777-0441

From: andrea@andreagaines.com

Sent: Monday, August 08, 2011 5:34 PM

To: Murphy, Lauren

Cc: Gail@Mris.com; kate.marincic@earthlink.net; fotoner2@aol.com; susan@fraserwallace.com;

tomislav.marincic@earthlink.net; susan@hedgewoodfarm.com

Subject: Trillium Farm Comments for the Record

Good afternoon, Lauren. I will be attending the HDRC meeting tonight, Monday, August 8th, but also wanted to make sure these comments became part of the record.

As a neighbor and a member of the general public, I'm frustrated at the process unfolding at Trillium Farm.

I was quite involved several years ago when the Matthews family presented to the community a very intensive proposed future use for their land. I also talked to Mr. Matthews about the proposed project which, at that time, envisioned transforming the property into a conference-type facility including guest cabins, a conference center and multiple new structures related to both recreational uses and the servicing of guests who might be using the facility at the time.

There was quite a bit of opposition to the project at the time, and the current proposal for Trillium seems to be heading in the same direction.

My concern is that the HDRC will approve the addition of large, new supposedly "private" recreational facilities, dealing only with largely cosmetic issues. Maybe you will succeed in scaling these new features down – including the size of the outdoor television or home entertainment screen. But, eventually, the neighborhood will be left with a decidedly commercial use the scale of which was never envisioned by either Historic District or zoning use standards.

I know you can only address specific things permitted or not by HDRC rules. But Historic Districts can be compromised by both big "go or no go" decisions, and smaller, incremental decisions that try to accommodate an owner's vision for their property while destroying, bit by bit, the core values our Historic District is intended to protect.

visit my website ... www.andreagaines.com marketing, fundraising, graphic design

Andrea Gaines
Concolour Creative
PO Box 44
Lincoln, Va 20160
540 338-4800 (ph/fax)
andrea@andreagaines.com

[&]quot;You cannot argue the case for saving any wilderness on the grounds of practicality alone. If this difficult saving is to be done, it will be because man is the creature who preserves things that stir him."

⁻⁻ Archie Carr

From:

fotoner2@aol.com

Sent: To: Monday, August 08, 2011 4:16 PM Murphy, Lauren; fotoner2@aol.com

Subject:

Matthews, Trillium Farm Comments for the Record

Dear Committee Members,

I am writing you as a resident of Lincoln Road in Purcellville. For the record, I am not a member of a "special interest group." I am concerned about the scale of the current Matthews project. The scope of the project is too large for our neighborhood, and in fact seems like a commercial project very similar to the 2006 development plan that the Matthews sent to the community.

If the Matthews had listened to the community, as they have stated, they would not be proposing a huge structure that is "commercial" in scope. We don't need a "Taj Mahal" in rural historic residential community. Mrs. Brown is exactly correct, it seems that the Matthews are progressing with their 2006 plan and just putting a new name on the projects. As a neighbor of the Matthews, I would like to state that I do not need the Matthews to build anything for me. They have stated that one of their reasons for building the structure is for the neighbors.

Over the years to the present time, I have personally witnessed dozens of TMG company vehicles and large construction company vehicles turn in and out of the Matthews property on a daily basis (at all hours of the day). This goes on on week days and Saturdays (sometimes Sundays). I have a hard time believing any statement to the contrary.

Sincerely,

Valerie Joyner

From:

Davenport, Kendra [kdavenport@projecthope.org]

Sent:

Monday, August 08, 2011 6:07 PM

To: Cc: Murphy, Lauren acdked@comcast.net

Subject:

Matthews, Trillium Farm Comments for the Record

Dear Committee Members:

My husband and I echo the concerns voiced by several of our neighbors regarding the scale and scope of the proposed additional construction by Joe and Tonya Matthews at Trillium Farm. Our own very small farm is directly adjacent to the Matthews property. Since buying our current home a little more than 6 years ago, we have watched the Matthews develop their property while holding our collective breath the entire time that it would never get to the point it appears to have reached — wherein, we are gravely concerned that the plans they are proposing if brought to fruition, will permanently alter in a negative way, the quiet, bucolic nature of our home and property. We believe the construction of an amphitheater for "weddings, community events and God forbid, concerts" would do just that in a most detrimental way. While we fully support their right to develop the land they own as they like, we hope they will continue to be responsible neighbors and seriously consider whether what they seek to do and build might negatively impact their neighbors and compromise historic integrity of the community in which they live.

Sincerely,

Captain and Mrs. Aaron C. Davenport Lavender Hill Farm 18671 Lincoln Road Purcellville, VA 20132

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From:

Susan Wallace [susan@hedgewoodfarm.com]

Sent:

Saturday, August 06, 2011 2:16 PM

To: Subject:

Murphy, Lauren Trillium Farm

Categories:

HDRC or Preservation

To: Historic District Review Committee of Loudoun County in Care of Lauren Murphy

Subject: Response to Mr. Joe Mathews' comments regarding the meeting on July 11, 2011.

From: Susan Wallace, Hedgewood Farm, Lincoln, Virginia 20160

Lauren, please include this document in the committee's packet for Monday, August 8, 2011. I will be out of town, but may ask a friend to read this into the record. Many thanks.

Let me say first of all that Mr. and Mrs. Mathews' application for additional development at their property has created a very unfortunate circumstance in our community. Although, Mr. Mathews referred to a "special interest group" in his comments, the actual fact is that most of his neighbors barely know each other, don't see each other on a regular basis and certainly have not formed a "group." We attended the July 11, 2011 HDRC meeting because we concur unanimously and independently, that further development of Trillium Farm is inconsistent with the Historic District and our community. Further, there is a concern that, if allowed to proceed with the proposed additional development, that once complete, they will request a zoning change.

It is quite true that The Mathews' distributed a proposal to the community in 2006. It is completely untrue that Mrs. Brown has

misinterpreted it's contents. I remember quite clearly reading the proposal and calling the Mathews immediately to express my very deep concern and disapproval. I recall that Mrs. Mathews was quite surprised that anyone would object to their grand scheme. The insinuation from Mr. and Mrs. Mathews is often that they are doing their community a favor by over-developing their property. My sense is that the community neither needs nor wants anything they are proposing. In addition, Mr. Mathews comments indicate that his neighbors have not contacted them concerning their development. On the contrary, numerous neighbors, myself included, have spoken to them on more than one occasion to plead with them to stop. Also, when they first arrived in the community neighbors reached out to them, invited them to social events and never received a thank you or reciprocal invitation. It appears they are not interested in being part of a community. However, I digress. The subject at hand is the continuation of the Historic District and surrounding community that so many love.

The 2006 proposal called for, amongst other concepts, a nature center and amphitheater where people could gather to learn about nature and the Mathews' children would be able to interact with nature. I simply couldn't understand, then or now, why the vast infrastructure was necessary when they already had open fields, wildlife and nature all around them. At the time, they didn't have their lake but if their boys wanted to fish, they were welcome across the road at Hedgewood where there are 3 ponds fed by naturally occurring springs and streams – not a well which is how the Mathews appear to be maintaining their lake.

In short, the 2006 proposal was clearly geared to a public facility. When the community voiced its concern, they backed off. Now they appear to be requesting very much the same thing again. The current development request contains several features that are inconsistent with the Historic District and a rural lifestyle: an outdoor, wide screen television with amplification is just one example.

I hope the Historic District Review Committee will do the right thing by denying this application if it comes to the agenda again – the resulting development would cause immense damage to the few remaining historic properties contiguous to "Trillium" and this region of Loudoun County.

Thank you for your time.

Susan Wallace Hedgewood Farm

From: Joe Matthews [jmatthews@tmgworld.net]

Sent: Tuesday, July 26, 2011 9:59 PM
To: Murphy, Lauren; Siebentritt, Heidi

Cc: Tanya Matthews; Hillrose01@aol.com; Doug Fleming; oaklandbb@aol.com
Subject: CAPP Application Meeting on 7/11/11 Concering Trillium Farm Improvements

Attachments: 2004014 Meeting Minutes Comments 7-20-11.pdf

Categories: HDRC or Preservation

Dear Lauren and concerned others...

Attached are meeting minutes that were kept my Michael Oxman that documented the dialog that took place at the HDRC meeting on 7/11/11 concerning the proposed improvements at our lake at 18915 Lincoln Rd, Purcellville, VA that we have a CAPP approval pending for. Based on conversations with Lauren, Mike Oxman and the attached meeting minutes we understand that a variety of subject matters involving Trillium Farm were discussed that had nothing to do with the HDRC scope and/or the review and approval of the CAPP application.

We are writing to express our concern, that the interests of the Matthews Family and our desire to use and enjoy our property (within the limits of the current zoning regulations) are unfairly being compromised and we are extremely concerned that the issues raised by a small special interest group could prejudice the rational decision making process that HDRC is tasked with.

We understand that there is a basis for frustration and we regret that individuals who attended the meeting lacked the ability to pick up the phone or simply come over and talk to us. The catalysts for many of the concerns expressed have been addressed (some for many years) and we need to work to understand the past and separate these issues from the present and the future.

We are writing to ask that you distribute this letter to all members of the committee to allow the Matthews the opportunity to address the concerns that we are aware of. We are not the demons and/or irresponsible people that we are being made out to be and we would encourage the committee members, our neighbors and any interested party to email us or simply stop by and make time to get to know us.

The following is our side of the issues identified in Mike Oxman's meeting minutes:

Issue A - Failed Sediment Control that silted up the neighbors spring house / an allegations that we did not have E&S controls in place (before and/or after).

Response – In 1996, shortly after fine grading the land south of the driveway into Trillium, we had a torrential rain that blew out the check dams and E&S controls that resulted in considerable sediment being transported across Lincoln Rd (Our Bad). We had sediment controls in place before, during and after; in which the #2 gravel that was used to create the check dams is still visible today (15 years later). In response, we immediately cleaned up the mess, reseeded the area that was affected and put in place additional erosion controls to prevent a reoccurrence. This is the one and only time this type event happened (100,000cy of dirt moved and 20+ acres of land disturbance). We have an open grading permit (X20060200001) and Bill Houck of Loudoun County stops by weekly to inspect. His reports are public record and demonstrate that we have responsibly managed E&S throughout the years that we have been doing this. To say and/or imply that we were non-responsive is a distortion of what happened and an attempt to insight contempt.

Issue B – The barns at Trillium are out of scale and house TMG Construction operations involving upwards to 30 people on Trillium Farm

Response - All improvements that are constructed at Trillium are based on being in scale with a 50 acre farm and life after Joe and Tanya. TMG's has 4 office locations that house all of our project management and field functions, including our primary project management office that is located at 741 Miller. Dr., Leesburg, VA. TMG business operations at Trillium Farm are limited to accounting and corporate support functions and don't involve

day-to-day operations. The number of people that work at Trillium Farm is consistent with AR-1 zoning for a 50 acre parcel of land.

Issue C – JNM comments concerning early generations of farming causing 16" of the farms 24" of topsoil to be washed down stream

Response - 4 to 5 vertical feet of top at the low point in our property that was recovered incidental to building the lake is reality and it took place over the decades prior to Joe and Tanya owning the farm. This is a textbook observation of the effects of mechanized farming practices that were used by previous generations that date back 100 years and more. With few exceptions, today's farmers have learned how to preserve topsoil and to use our natural resources more wisely. This observation is a lesson for those farmers who continue to not respect what topsoil / natural resources are left. Those that have learned from the mistakes of previous generations and have adopted contemporary farming practices have no reason to be insulted by my statement and those that have not should be held accountable for their sins against nature and the quality of life that we are leaving behind for our children.

Issue D – 2006 Letter written to the nighbors by Joe and Tanya to explain what we were doing at the time

Response - To the fullest extent practical we have been 100% transparent with our neighbors concerning our intentions. The scope of what we seek to do in 2011 has evolved (in part from community feedback) and the concerns that Jean Brown cites are not part of this current and/or any future initiative currently contemplated. We have made it clear to zoning our intentions and we intent to work within the limits set by the current zoning regulations that includes private use and possibly future agricultural uses related to the orchard that we recently planted and activities that are related thereto.

Issue E - Disney 2 and the community victory to stop the Matthews

Response - In 1996 Joe and Tanya bought 50 acres in a community that consisted of 50 acre conservation easements that limit development. At the time and for years our property was farmed by Ben Hottle as a part of an 11,000 acre traditional farming crop rotation effort. Over the years, urban creap and the fragmentation of farm land reduced the avialable acreage to farm to 4,000 acres +/- (as I understand it) and in 2008 +/- Joe Rogers stopped farming our land along with many other farms because the deer population (that is being forced onto the fragmented land that remains) was eating 40% of the crop yield. As such, we and many others were forced into looking for alternative land uses and the evolution of AR-1 zoning to address the defacto changes in land use brought about by regional events around us is allowing us to find sensible productive uses to hold on to the open space. Starting in 2005 +/-, we came to realize that we needed to do something with our land and that traditional farming would no longer be an option. As an institutional builder our vision was bigger than most and we moved 100,000 acres of dirt to create a small lake and we made other improvements that would provide the infrastructure for micro-farming and for community based activities. In 2006, we authored the letter "to our neighbors" which Jean Brown is twisting into something that is not. The letter was written in a sincere attempt to educate our neighbor to what we were thinking and to obtain feedback. As long-term residents in the community, we share many of the concerns that our neighbors do and through an evolution of feedback and critical thinking, we reached a point where we concluded that the scale of the improvements to the property are those that are relflected in the "Lakeside Picnic Area" drawings. In the past two years, we explored making the facility available to the community (with the framework of minor special exception provisions of AR-1 zoning) however we ultimately concluded that we would need to spend a \$100,000 or more of our own money to allow others to benefit from our property which simply does not make sense. Going forward, we have chosen to limit the improvements that are contemplated in the drawings to private use which provide a controlled environment to raise our two 9 year old boys and to share the improvements with our friends and neighbors in an appropriate manner. There was never a Disney 2 and the whole notion of comparing our efforts to Disney is both humbling and annoying.

Issue F - Beep, Beep, Beep

Response – It is reaosnable to understand why some of our neighbors became frustrated with the sound of construction equipment moving dirt, building a lake and creating roads. Trillium was built using TMG equipment that was idle at the time and typically much of the work got done on the weekend with my own effort. As such, many of our neighbors experienced one to three month bursts of beep, beep, beep. The good news is that the heavy constuction is over and has been so for a year or so. From an outsiders perspective it would be hard to differenciate TMG's office operations from the construction noise that reconfigured the land that is now in place at Trillium. As such, if people are concerned that TMG's existence at Trillium is the continued noise of the past, it is

an incorrect perception. Albeit that the trash truck empties our dumpster once a week and has a backup alarm and occasionally there are other sources of noise, the nature of TMG existence at Trillium is one of light vehicle coming and going. As such, the noise that originates from Trillium now days is that type of noise that is typical of a 50 acre farming operation and the beep, beep, beep is not the norm.

Thanks for making the time to read this. For reasons that we can not fully explain; there is a small group of activists (that we may never fully agree with, however we have and will always make the time to understand and respect their concerns) that are using the HDRC as a vehicle to stop this project. We are committed to doing this project and we appreicate the professional manner in which HDRC staff, LC Zoning and all of Loudoun Government has worked to respects the concerns of others and to acknowledge the legal rights that the Matthews family has to enjoy and improve our property. We look forward to moving this project forward.

Please encourage the committee and others to write and/or stop to address any further concerns.

Thank you.

Sincerely,

Joseph N. Matthews FAIC, CPC LEED AP (Desk) 540-751-4466 (o) 540-338-0411 (C) 571-233-3987 www.tmgworld.net

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From: Hillrose01@aol.com [mailto:Hillrose01@aol.com]

Sent: Wednesday, July 20, 2011 12:59 PM

To: Joe Matthews

Subject: Trillium Farm - ARB Comments

Joe,

Attached is a Revised copy of the Meeting Minutes with MLO's Comments. Please let me know if you need anything else.

Have a great day!!

Trae Sinnett

Executive Assistant / Project Coordinator Architect Michael L. Oxman and Associates, Ltd. 36963 Charles Town Pike Purcellville, VA 20132 O) 540-668-7445 F) 540-668-9000

Web: www.architect-oxman.com

July 20, 2011

Trillium Farm – ARB Meeting Minutes from July 11, 2011, 6:00 p.m.

Tanya and Joe,

On July 10th, I participated in the ARB Review Meeting. It was brutal. A number of citizens showed up. They were extremely critical of Trillium Farm in general. The public comments were focused more on current and past issues and not on the design being presented. Although the chairperson, Lee Ferguson, commented that Zoning issues or past concerns were not their responsibility, it clearly diverted everyone's attention away from the project at hand.

After reading through the County's Review of the various elements of the picnic area, I assumed that this would be a slam-dunk. My assumption couldn't have been further from the reality of what took place in that meeting. The questions that I was being asked, typically, did not have anything to do with the picnic area. My initial statement was that these are all reasonable questions, but I'm not in a position to respond to them. If you ask me about the building, I'd be happy to speak to that. However, the Committee expanded upon the citizen's questions. I answered those questions honestly and as best as I could. I should have, in hindsight, not answered any questions that did not pertain to the submission.

There were a variety of issues that were brought up by the citizens, some of which went back to the original construction of the home. The following are my recollections of what some of them were saying:

- A. There was a gentlemen from what I believe was Edgewood Farm, who was reaching back to the time when the house was constructed and was suggesting that you did not put silt fencing up and that a significant amount of silt ended up in their spring house. He indicated that the Matthews' had not been responsive to his concerns or incorporating a silt fence. This, of course, had nothing at all to do with the project that was to be reviewed. His comments simply stirred the emotional pot against anything that you might choose to do.
- B. A number of people spoke up against the Business operation, indicating that they thought that it was inappropriate and not in conformance with the Zoning ordinance. They focused their attention on the size of the barns being out of proportion, which I think is incorrect. The barns, as viewed essentially from the outside world, appear to be one-story from the front and from the sides, a bankbarn type of construction, which is not untypical for many of the barns in Loudoun County. They questioned the use of the barns. I indicated to them, since this item came up with the Committee, that a portion of the barns were for horses that you had not yet acquired, but planned on doing so and that certain areas of the barns were being used to store equipment that you used to service the property and your business. These individuals commented on the number of people that were working in the facility, suggesting that there were as many as 30 people and that was against the Code. They commented on the noise coming from construction vehicles, specifically construction vehicles that back up and beep. None of this had anything at all to do with the picnic area; nevertheless it simply created an emotional frenzy.
- C. There were other issues that were brought up that related to some of your earlier comments that you had made regarding the suitability of the soil for farming, due to past farming practicing and what you were doing to mitigate that situation. Those comments that you made were interpreted by your

architect michael l. oxman & associates, ltd.

neighbors owning farms, as a slight against the farming community in the area. You were insulting them...more frenzy. Another concern referenced, which was brought up by the Committee member Jean Brown, referred to a letter that you wrote in 2006; where you talked about all the different ideas you had for your property, which included Meeting rooms and the Cottages, Amphitheatre, etc. This reference created additional frenzy.

After the citizens had their opportunity to speak, the Committee began their questioning. The following narrative will be an outline referencing each of the Committee members, as best as I can recollect:

- 1. Before I go to the Committee members, Lauren Murphy sat at the head of the table and made the initial presentation. She did not participate with the frenzy. She stuck to the Agenda; however the Committee, in general, did not. I did speak this morning (7/12/11) with Lauren and we commiserated over the nature of what took place. I think we both came to the conclusion that as bad as the citizen's comments were, it had nothing to do with your project and that it was probably best that the two of you were not there. I suspect you could have answered some of the questions more definitively, which would have been helpful. At this point, this will at least give you an opportunity to address each of the comments that the public made, so that one could get on with the review of the actual project and its appropriateness.
- 2. Jean Brown was the one who brought the 2006 letter to the table. She asked me whether I remember that letter. I indicated, "When was it written?" I said, "I'm having enough trouble remembering what I did yesterday let alone what I did in 2006." On the other hand, I did not suggest that I was unaware of the items that were expressed in the letter. Lauren indicated that they were not a part of this submission and any other projects would be reviewed independently on their own merit. Now, you can begin to see the vision that the Committee and the citizens are all excited over. In fact, one of the Committee members brought up the fight against Disney World, as a great victory; somehow comparing Disney World to what you wanted to do on your property. In addition to the letter, Jean revisited the concern about the use of the property as a Business. Lauren indicated that the Zoning for the use had been accepted. Nobody really cares if it was accepted. They are just angry. Jean also refers to the noise. The backing up of vehicles with the beeping occurring early in the morning and questions whether or not there is a noise ordinance to control this. Once again, Lauren indicates that this is not their responsibility...yes, there is a noise ordinance and they can take it up with the appropriate authority.
- 3. Rob Hale seemed to have some construction or architectural background. He was not as exuberant; nevertheless, he got focused on the outdoor T.V., as if somehow you were creating a Drive-In Theatre. I expounded on one possible theory, that when people are down by the lake, some may want to watch sports and this will give them a place where they can sit and do so. The T.V. is hidden from the view of the outside world. I think that if the attention of the Committee could be directed to the legitimacy of the design being proposed, Hale would probably review it with an open mind. Rob also brought up the issue of the impervious surfaces, suggesting that maybe they should be pervious. I indicated that certainly could be done, but I thought that those hard surfaces would be collecting clean water that would then be diverted to the pond. At some point, and I think it was at this time that, there was a discussion about the pond. I indicated that you had a well to maintain the level of the pond. A lot of people seemed to think that this was humorous. I then indicated that typically, there was enough rainfall and runoff to maintain the level of the pond. However, it did not always want to occur when you needed it and therefore, to maintain the character of the pond, the well would offset those moments when there was a shortfall. I also noted that on hot days, like we've been experiencing, a pond could lose ½" of water a day to evaporation. In addition, I pointed

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36963 charlestown pike, hillsboro, va. 20132

office: 540-668-7445 fax:540-668-9000 e-mail: hillrose01@aol.com

- out that there were no natural lakes in the state of Virginia and that any lake (small or large) was man-made. No one seemed to believe that.
- 4. Matt Tolley is a member of the Loudoun County Health Dept. and I can't recall him saying anything.
- 5. Judy Gerow was also quiet. I cannot recall her asking a question.
- 6. Karl Riedel, I understand is an Architect with an office in Leesburg, VA. He didn't say very much, however on the previous review he got hung up on the Historical Covenants, which does not want to have decks. The house was 1,000 ft. from the road, surrounded by family farm land and family homes. The deck in the rear of the house was not visible. The Planning Review indicated that because it was not visible, this would be okay. Karl seemed to still be struggling with the subject. I just recalled that Hale then comes in with the inconsistencies of the window treatment between the front of the home (which is barely visible from the road) and the rear of home. As I know you are aware of my philosophy, personally I agree with the concept of consistency on all elevations of a building. However, in my opinion, it should be irrelevant to the ARB Review and Lauren made an effort to point that out.
- 7. The Chairperson, Lee Ferguson, tried to point out the responsibilities of the Committee. She seemed to be reasonable, level-headed and more focused.
- 8. Jane Covington appeared to be angry from the very beginning. It would seem to me that she must have had conversations with the citizens before she even asked her first question, which didn't deal with the project at hand, but with the barns and what they were being used for. She was drilling me about the Zoning issues of the barns and their appropriateness.

As I was indicating, there was very little discussion about the Lakeside picnic structures. They postponed the decision until such time as the County Attorney determines whether or not the elements comprising the picnic area are an appropriate use, within the Conservation Easement area. If the Attorney says that the use is okay, the Planning Dept. basically gave it the good housekeeping seal of approval. I don't know how the Architectural Board of Review can reject it. The citizens and the Board can speculate anyway they want about some future desire on your part to make this a more public use area. It is irrelevant or it should be to this approval.

I am sorry that it did not go well. I will say that it sounds like you have some fence mending to do with your neighbors.

As you can see from the date on this correspondence, I have held off sending this to you until after your vacation. It would seem to make sense for us to either have a telephone conference or get together to talk about the situation.

Best regards,

Michael L. Oxman

From:

OaklandBB@aol.com

Sent:

Sunday, July 31, 2011 3:49 PM

To: Cc:

Subject:

Murphy, Lauren Siebentritt, Heidi Matthews proposal

Follow Up Flag: Flag Status:

Follow up Completed

Categories:

HDRC or Preservation

Hello Lauren -- I see that I was copied on the email sent to <u>you and Heidi</u> on the Matthews proposal. I called your office on Monday morning and was told you would be out until Wednesday. I also called Miquel Salinas but did not hear back from him either. I need to know what I can do with this. I'm a little gun-shy of sharing anything I receive through the committee, but apparently Joe asked his wife Tanya for my email address which she had from other correspondence we have had in the past on personal matters. I also notice that Matthews is requesting that you distribute his letter to all members of the committee. Has that been done?

I would actually like all the committee members to have these so-called minutes by Mr. Oxman. In some cases he has mis-represented the facts and has not done well in his reporting. Doesn't he have access to the official minutes of the meeting? He could check out his facts from there.

Can you please also let me know if you have yet heard from the county attorney's office on the terms of the easement and uses that the Matthews plan.

I will agree with one statement that Mr Oxman makes and that is that the Matthews have some "fence-mending" to do!

Thanks -- jean

From:

Susan Wallace [susan@hedgewoodfarm.com]

Sent:

Friday, July 08, 2011 9:30 AM

To:

Murphy, Lauren

Cc: Subject: andrea@andreagaines.com HDRC Comments and Invitation

Categories:

HDRC or Preservation

Dear Lauren,

Thank you for taking the time to speak with me about my concerns regarding a proposal submitted by Mr. and Mrs. Joseph Mathews. Although I am not privy to the subject of the proposal, I am very worried that the Mathews are attempting, yet again, to gain permission for a commercial conference center to be constructed on their property. They don't call it a conference center as such, but refer to it more as a nature center. A wolf in sheep's clothing?

My husband and I own Hedgewood Farm, built in 1835 and steeped in history, immediately across the Lincoln road from the Mathews property. We feel strongly that the Mathews have abused their community with constant construction noise and pollution. They run heavy equipment at any hour of the day or night they choose and sometimes seven days a week. In addition, they have shown no interest in preserving the historic, agricultural or rural nature of the community the HDRC is charged to protect.

Although I know HDRC committee members and staff make frequent site visits when considering a proposal, I would like to extend an invitation to the members and staff to visit Hedgewood to see, first hand, an historic property that would be impacted by any continued development.

Please email me or call 540-338-3514 to let me know when you might visit.

Many thanks,

Susan Wallace

--

Susan Wallace Hedgewood Farm

From: Susan Wallace [susan@hedgewoodfarm.com]

Sent: Sunday, July 10, 2011 4:59 PM

To: jean brown; andrea@andreagaines.com; Siebentritt, Heidi; Murphy, Lauren; fotoner2

@aol.com

Cc: shshoo@aol.com; Susan Ackman

Subject: Mathews proposal

To Whom It May Concern:

I have read the proposal put forth to the Historic District Review Committee by Tanya and Joe Mathews. I have a few questions and comments. Also, I would very much appreciate it if someone would forward this email to the HDRC committee members.

For those of you who have not seen the proposal, I hope you can get the drift.

Paragraph 2: What traditional agricultural products did the Mathews grow during the "initial" years? What exact practices have been implemented to restore the topsoil? Casual observation would conclude that the Mathews have removed more topsoil than has been replaced. In addition, in the early 2000's numerous complaints were filed against them because their soil removal caused significant erosion and runoff to other properties. They were required by Loudoun County to address the problem. They have not restored the land.

Paragraph 3: Digging the pond has nothing whatsoever to do with restoration. The pond was part of the original development proposal (in 2005-2006) to create a conference center. There are at least 4 substantial, long-standing ponds within a 200 meter distance. The insinuation that the pond is some how an enhancement to the community is an exaggeration. The true history of the property did not include any buildings, ponds, or infrastructure.

Paragraph 4: The residence and barns have no resemblance to anything built in the 1800's. In addition, the Mathews property is contiguous to 2 very historic properties built in the early 1800's – both of which have been maintained for the most part as they were originally built. The Mathews do not appear to have

regard for historic buildings. They are a bit overly optimistic if they think anything they build or have built will be here in 1000 years. Lastly in this paragraph, it is entirely possible that poor farming practices in the last century led to some reduction in potential agricultural productivity on their land, but digging up the 50 acres and putting buildings on it and turning it into a theme park is not the answer. Also, my husband and I own the property across the Lincoln Road from the Mathews that has been occupied and farmed consistently since 1835. We have been here 21 years and continue to farm. We raise cattle and make hay every spring. We have never needed to supplement our soil or change the farming practices (with the exception, of course, of mechanization) employed for the last 176 years. The Mathews insinuation that they are restoring or correcting anything is extremely misleading.

Section III, Paragraph 1: What will the "future agriculturally-based activities" be? It doesn't appear there will be any land left to support agriculture.

Paragraph 2: The neighbors have their own ponds and therefore the insinuation that the Mathews are somehow enhancing the community by constructing a pond is an exaggeration.

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Paragraph 4: What specific "allowed" activities are being proposed?

Paragraph 5: This paragraph appears to predict their property will become a tourist destination.

If Tanya and Joe Mathews want to pursue their dream of operating a tourist attraction loosely based on agriculture, then I suggest they purchase land just north of Purcellville which is already zoned for such activities and has the infrastructure (roads, public safety, etc) to support the kind of tourism they

propose. Michael Eisner once attempted to introduce history to Virginia; I am concerned the Mathews think they need to introduce agriculture. Mr. Eisner came face to face with real history.

Thank you for your kind attention.

Susan Wallace

Susan Wallace Hedgewood Farm

From: Sent: andrea@andreagaines.com

Sent

Sunday, July 10, 2011 5:35 PM

To:

Cc:

OaklandBB@aol.com; Siebentritt, Heidi; Murphy, Lauren; fotoner2@aol.com;

susan@hedgewoodfarm.com shshoo@aol.com; susan@fraserwallace.com; kate.marincic@earthlink.net

Subject:

Re: Mathews proposal

I think all of Susan Wallace's issues here are well founded.

After reading the publically accessible papers filed with HDRC, these are the things that make no sense to me:

- 1. If the new structures proposed here are not structures the HDRC would "anticipate" for private use in an historic district, then how can they be approved? In other words, what's the standard for goodness sake?
- 2. Where is the line between structures that serve a private use and structures that serve a public use? It feels like these things are being positioned as a private use but are actually for later public use. The grand conference center/guest cabins plan proposed by the Matthews several years ago is relevant here ... unless that plan has been officially abandoned.
- 3. Isn't the fact that the structures are not visible to the road at least somewhat irrelevant? Don't adjacent property owners have a stake in this? Aren't historic districts enforceable by individual property owners in the historic district? If you are looking down on bridges over ponds, pavilions, etc. ... are not your rights relative to the historic district as relevant as those for people simply driving by the property?
- 4. All of this has been couched to celebrate "agricultural use", and enhancement of agricultural land. However, at the same time, the applicant is arguing the project's recreational uses ... environmental values. What's the goal here?
- 5. Finally, the whole issue of land use relative to historic districts, rural commercial uses, etc, simmers down to intensity of use. How can a property that is barely over the 50 acre minimum for such uses absorb such intense activity without ruining the character of the area? A character protected by both rural zoning requirements and historic district requirements? This property is not it's own island ... and it already used as an office and storage site for the Matthews' construction company (am I wrong?).

visit my website ... www.andreagaines.com marketing, fundraising, graphic design

Andrea Gaines
Concolour Creative
PO Box 44
Lincoln, Va 20160
540 338-4800 (ph/fax)
andrea@andreagaines.com

----Original Message----

From: "Susan Wallace" [susan@hedgewoodfarm.com]

Date: 07/10/2011 05:00 PM

[&]quot;You cannot argue the case for saving any wilderness on the grounds of practicality alone. If this difficult saving is to be done, it will be because man is the creature who preserves things that stir him."

⁻⁻ Archie Carr

To: "jean brown" <OaklandBB@aol.com>, "andrea@andreagaines.com" <andrea@andreagaines.com>, heidi.siebentritt@loudoun.gov, "Murphy, Lauren" <Lauren.Murphy@loudoun.gov>, fotoner2@aol.com CC: "shshoo@aol.com" <shshoo@aol.com>, "Susan Ackman" <susan@fraserwallace.com> Subject: Mathews proposal

To Whom It May Concern:

I have read the proposal put forth to the Historic District Review Committee by Tanya and Joe Mathews. I have a few questions and comments. Also, I would very much appreciate it if someone would forward this email to the HDRC committee members.

For those of you who have not seen the proposal, I hope you can get the drift.

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Paragraph 4: What specific "allowed" activities are being proposed?

Paragraph 5: This paragraph appears to predict their property will become a tourist destination.

If Tanya and Joe Mathews want to pursue their dream of operating a tourist attraction loosely based on agriculture, then I suggest they purchase land just north of Purcellville which is already zoned for such activities and has the infrastructure (roads, public safety, etc) to support the kind of tourism they propose. Michael Eisner once attempted to introduce history to Virginia; I am concerned the Mathews think they need to introduce agriculture. Mr. Eisner came face to face with real history.

Thank you for your kind attention.

Susan Wallace

Susan Wallace Hedgewood Farm

From: Tomislav Marincic [tomislav.marincic@earthlink.net]

Sent: Monday, July 11, 2011 3:43 PM

To: Murphy, Lauren Cc: Kate Marincic

Subject: RE: Fw: Fwd: Mathews proposal

Lauren, please include these comments in the file:

To Whom it may Concern,

I live at 37775 Hughesville Rd, and my property abuts the Matthews lot. I have lived there for 15 years, and I am most strongly opposed to any further commercial development on the Matthews property.

In 2006, Tanya and Joe Matthews wrote a long letter to the community and distributed plans for a commercial nature retreat. The plans included residences, pavilions, an outdoor amphitheater, and other features that might attract corporate clients. I attended a meeting that year in a private residence where Joe Matthews confirmed these plans, and stated that his goal was to "franchise" his project and duplicate it elsewhere as a commercial enterprise.

While I realize that 5 years have elapsed, I have no reason to believe that the Matthews' plans have changed.

I find the current application deceptive. It rhapsodizes about family cookouts, family and community uses for the terraced meeting areas and other features, without adequately addressing the fact that this is the next step in a non-agricultural, commercial enterprise located in an agricultural/residential area. The closest brush with honest disclosure comes on page 2, where the Matthews state that "The scope of the initial phase of this initiative is to construct the improvements for private use as ancillary structures to the residence primarily because the costs and time associated with permitting the property for public uses is expensive and time consuming."

If the property is clearly going to be used for public purposes, isn't this the time to address permitting issues? Commercial development may be "time consuming", but it is the appropriate venue for this project.

I'm amazed that the staff have recommended approval, with a minor requirement to use a different exterior treatment. If I wanted to, for example, use casement picture windows in my house, 500 feet from the nearest road, instead of double-hung windows with the correct number of panes, this would be disapproved. David Logan built a beautifully crafted picket fence in Lincoln a few years ago, and the Historic Commission nearly forced him to tear it down because it was "pretentious." But apparently, the Matthews' modernist pavilions and house, to my eye more appropriate in Northern California than Quaker Virginia, is not disruptive to the historic character of the area? What purpose does a Historic District serve when it bullies individual homeowners who are making small improvements in their homes, but allows the construction of a jarring corporate theme park in a residential area?

Some aspects of the application strike me as deceptive. For example, the inclusion of "open terracing that provides amenities that are readily available and allow for recreational activities to take place." Joe already told me that he plans an outdoor amphitheater, with amplification, to hold meetings and presentations during corporate retreats. How can the application be allowed to continue under the false pretense that these facilities are for family use?

Some aspects of the application beggar belief: "...the continued reengineering of the land into an ecologically sustainable property." Does nature have to be pushed around with bulldozers, carted around in dump trucks, sculpted and mowed and planted with carefully selected specimen trees to be "ecologically sustainable?" One wonders how nature managed to sustain itself before the arrival of the TMG Group?

I have 6 acres of abandoned hay field in front of my house. My fondest memory of Loudoun County, after I finally give up and flee to Vermont, will be that of watching nature reclaim monoculture, little by little, year by year. After about 8 years, my yard is a wonderfully diverse place. Many species of bird and animal have returned and found homes. Perhaps the Matthews are

referring to my vision of "nature" and "ecological sustainability" when they state that some of the neighboring properties are not being maintained to the same high standard as their own?

This project is inappropriate. It does not resemble anything else that has been constructed anywhere in the Goose Creek Historic District, excepting perhaps the Matthews house. Its scale is unsuited to individual family use, and no public use has been permitted. I urge the committee to reject the application.

Best Regards, Tom Marincic

From: Tomislav Marincic [tomislav.marincic@earthlink.net]

Sent: Sunday, July 10, 2011 9:17 PM

To: Kate Marincic; andrea@andreagaines.com; OaklandBB@aol.com; Siebentritt, Heidi;

susan@hedgewoodfarm.com; Burton, Jim; Jim Burton; fotoner2@aol.com; Murphy, Lauren;

shshoo@aol.com; susan@fraserwallace.com; bergenjennifer@hotmail.com

Subject: RE: Fw: Fwd: Mathews proposal

"Michael Eisner once attempted to introduce history to Virginia; I am concerned the Mathews think they need to introduce agriculture."

Brilliant!

The proposal is a crock, obviously. Has Joe abandoned his plans to build a conference center and then "franchise" it, which I heard him state at a meeting at Dode Puelicher's house? No, here it is on page 2: "The scope of the initial phase of this initiative is to construct the improvements for private use as ancillary structures to the residence primarily because the costs and time associated with permitting the property for public uses is expensive and time consuming."

Translation: "This application is a lie, a Trojan Horse. We'll come back for the rest of the approval for our NON-AGRICULTURAL COMMERCIAL enterprise in an AGRICULTURAL/RESIDENTIAL area after you approve this first step under false pretenses."

I'm amazed that the staff have recommended approval, with a minor requirement to use a different exterior treatment. If I wanted to, say, use casement windows in my house, 500 feet from the nearest road, instead of double-hung windows with the correct number of panes, they'd disapprove.

David Logan built a beautifully crafted picket fence in Lincoln a few years ago, and the Historic Commissariat nearly forced him to tear it down because it was "pretentious." But apparently, Mathews-Epcot is exactly the kind of pavilion that the Quakers would have used for their PowerPoint conferences. After this travesty, the Historic District has been stripped of any shred of credibility, and should be completely abandoned.

"...open terracing that provides amenities that are readily available and allow for recreational activities to take place." Really? Joe already told me that he plans an outdoor amphitheater, with amplification, to hold meetings and presentations during corporate retreats. It's quite a vision:

200 MBA's making S' mores and telling ghost stories on a warm summer night.

Here's my favorite howler: "...the continued reengineering of the land into an ecologically sustainable property." Are you kidding me? Does nature have to be pushed around with bulldozers, carted around in dump trucks, sculpted and mowed and planted with carefully selected specimen trees to be "ecologically sustainable?" Does the work of your personal Creator require "reengineering" by some skinny dork who's spending his midlife crisis compensating with heavy equipment? Could we all just pitch in and buy Joe a Corvette or a Harley instead?

I have 6 acres of abandoned hay field in front of my house. My fondest memory of Loudoun County, after I finally give up and flee to Vermont, will be that of watching nature reclaim monoculture, little by little, year by year. After about 8 years, my yard is a wonderfully diverse place. Many species of bird and animal have returned and found homes. Unfortunately, it's a poor place to gather to listen to motivational speakers, therefore it's not "ecologically sustainable."

I work as an airline pilot. Sometimes, I get home at 5AM after working all night. Sometimes, I wake up and drive to the airport hours after most people have finished their dinner and tucked their children into bed. 15 years ago, I bought 16 acres in the "country", protected by an Agricultural District and a Historic District, so that I might be afforded the privacy and solitude necessary to rest despite my unusual schedule. Instead, I live next to a budding amusement park. Walt Disney is building NatureLand Incorporated next door to me, and the bulldozers start running at 630 AM, with the noise that Rommel would have made in north Africa in 1941 if OSHA had required him to equip his Panzer tanks with backup alarms.

I OWN 16 ACRES YET CANNOT SLEEP IN MY OWN BED WITHOUT EARPLUGS WHEN THE MATHEWS ARE "REENGINEERING" THEIR LAND. The last time I called Tanya, at

645 in the morning, to complain, she told me that "we love the sound of construction."

I hope all of you learn to love it as well.

Best Regards, Tom Marincic

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> [Original Message]
> From: Kate Marincic < kate.marincic@earthlink.net>
> To: tom <tomislav.marincic@earthlink.net>
> Date: 7/10/2011 8:06:07 PM
> Subject: Fw: Fwd: Mathews proposal
>
>
>
> ----Forwarded Message-----
>>From: "andrea@andreagaines.com" <andrea@andreagaines.com>
>>Sent: Jul 10, 2011 5:10 PM
>>To: kate.marincic@earthlink.net
> >Cc: fotoner2@aol.com
> >Subject: Fwd: Mathews proposal
>>Hi, Kate. I wanted to forward this to tom, too but can't locate his
email.
>>
>>Just so you know the neighborhood discussions about the Matthews'
debacle!
>>
>>I've copied Valerie Joyner, who spoke with Tom recently.
>>"You cannot argue the case for saving any wilderness on the grounds
practicality alone. If this difficult saving is to be done, it will be because man is the creature who preserves things that stir
him."
>>-- Archie Carr
>>
>> visit my website ... www.andreagaines.com marketing, fundraising,
> > graphic design
>>Andrea Gaines
>>Concolour Creative
> > PO Box 44
> >Lincoln, Va 20160
>>540 338-4800 (ph/fax)
> >andrea@andreagaines.com
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>>----Original Message-----
>>From: "Susan Wallace" [susan@hedgewoodfarm.com]
> > Date: 07/10/2011 05:00 PM
>>To: "jean brown" <OaklandBB@aol.com>, "andrea@andreagaines.com"
<andrea@andreagaines.com>, heidi.siebentritt@loudoun.gov, "Murphy, Lauren"
<Lauren.Murphy@loudoun.gov>, fotoner2@aol.com
>>CC: "shshoo@aol.com" <shshoo@aol.com>, "Susan Ackman"
<susan@fraserwallace.com>
>>Subject: Mathews proposal
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>>To Whom It May Concern:
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To:

Jane Covington; Jean Brown; Judy Gerow; Karl Riedel; Leah Thayer Ferguson

(leah@rstarmail.com); Matt Tolley; Rob Hale; Rob Hale

Subject:

FW: HDRC Comments and Invitation

HDRC Members – please see below from Susan Wallace regarding the CAPP2011-0013 for Trillium Farm, while we would normally provide these comments during the public input portion of our agenda on Monday night, Ms. Wallace has specifically requested that this be provided in advance in the event that any members wish to accept her invitation.

If you choose to visit her farm, please be sure to do so individually as we do not have the time required to properly advertise a gathering of three or more members of the HDRC.

As a reminder, if you view Trillium Farm from Ms. Wallace's property the HDRC's rules and procedures prohibit the discussion of the active CAPP application. As always, feel free to forward any questions about the CAPP application to me.

From: Susan Wallace [mailto:susan@hedgewoodfarm.com]

Sent: Friday, July 08, 2011 9:30 AM

To: Murphy, Lauren

Cc: andrea@andreagaines.com

Subject: HDRC Comments and Invitation

Dear Lauren,

Thank you for taking the time to speak with me about my concerns regarding a proposal submitted by Mr. and Mrs. Joseph Mathews. Although I am not privy to the subject of the proposal, I am very worried that the Mathews are attempting, yet again, to gain permission for a commercial conference center to be constructed on their property. They don't call it a conference center as such, but refer to it more as a nature center. A wolf in sheep's clothing?

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Although I know HDRC committee members and staff make frequent site visits when considering a proposal, I would like to extend an invitation to the members and staff to visit Hedgewood to see, first hand, an historic property that would be impacted by any continued development.

Please email me or call 540-338-3514 to let me know when you might visit.

Many thanks,

Susan Wallace

Susan Wallace Hedgewood Farm